

Message Text

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ORIGIN DHA-02

INFO OCT-01 ARA-06 ISO-00 L-03 H-02 PM-04 AID-05 IGA-02

SS-15 MC-02 CIAE-00 DODE-00 INR-07 NSAE-00 NSC-05

PA-01 PRS-01 SP-02 NSCE-00 SSO-00 USIE-00 INRE-00

TRSE-00 OMB-01 EB-07 COME-00 ORM-02 IO-13 CU-02 /083 R

DRAFTED BY D/HA:HKHILL:DI

APPROVED BY D/HA:JMWLSON, JR.

ARA - MR. LISTER (DRAFT)

L/PM - MR. MICHEL (DRAFT)

L/HR - MR. RUNYON (DRAFT)

H - MS. SWIFT (SUBS)

ARA/APU - MR. RONDON

ARA/CAR - MR.SANTAYANA

ARA/EP - MR. FULLER

----- 117734

O 242314Z SEP 76

FM SECSTATE WASHDC

TO AMEMBASSY BUENOS AIRES IMMEDIATE

AMEMBASSY LIMA IMMEDIATE

AMEMBASSY PORT AU PRINCE IMMEDIATE

C O N F I D E N T I A L STATE 237752

E.O. 11652: GDS

TAGS: SHUM, MASS

SUBJECT: CONGRESSIONAL REQUEST FOR DETAILED HUMAN RIGHTS

STATEMENT

REF: STATE 231122

1. THE DEPARTMENT RECEIVED ON SEPTEMBER 21 A LETTER FROM
CHAIRMAN MORGAN OF THE HOUSE INTERNATIONAL RELATIONS
COMMITTEE CONTAINING A REQUEST FOR A HUMAN RIGHTS
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"STATEMENT" ON ARGENTINA, HAITI AND PERU BASED ON

SECTION 502B(C)(1) OF THE FOREIGN ASSISTANCE ACT OF 1961 AS AMENDED BY THE INTERNATIONAL SECURITY ASSISTANCE AND ARMS EXPORT CONTROL ACT OF 1976. (FULL TEXT CONTAINED REFTEL).

2. THIS IS A FORMAL REQUEST UNDER THE NEW STATUTE TO WHICH DEPARTMENT MUST RESPOND WITHIN 30 DAYS, I.E. BY OCTOBER 21, OR ALL SECURITY ASSISTANCE DELIVERIES RPT DELIVERIES TO EACH COUNTRY ABOUT WHICH STATEMENT IS REQUESTED WILL BE CUT OFF UNTIL RESPONSE IS RECEIVED BY THE COMMITTEE. IN THIS REGARD, ADDRESSEES ARE REMINDED THAT SECTION 502B(D)(2) DEFINES SECURITY ASSISTANCE IN COMPREHENSIVE TERMS TO INCLUDE FMS CASH PURCHASES AND CERTAIN COMMERCIAL TRANSACTIONS.

3. AS INDICATED REFTEL "STATEMENT" ON THE COUNTRY CONCERNED MUST CONTAIN THE FOLLOWING INFORMATION:

-- ALL AVAILABLE INFORMATION ABOUT OBSERVANCE OF AND RESPECT FOR HUMAN RIGHTS AND FUNDAMENTAL FREEDOM IN THAT COUNTRY AND DETAILED DESCRIPTION OF HOST GOVERNMENT PRACTICES WITH RESPECT THERETO;

-- STEPS U.S. HAS TAKEN TO PROMOTE RESPECT FOR AND OBSERVANCE OF HUMAN RIGHTS, AND DISCOURAGE PRACTICES INIMICAL TO HUMAN RIGHTS IN THAT COUNTRY, AND TO PUBLICLY OR PRIVATELY CALL ATTENTION TO AND DISSOCIATE U.S. AND SECURITY ASSISTANCE PROVIDED COUNTRY, FROM SUCH PRACTICES;

-- WHETHER, NOTWITHSTANDING SUCH PRACTICES, EXTRA-ORDINARY CIRCUMSTANCES NECESSITATE CONTINUATION OF ASSISTANCE, AND ALL FACTS WHICH SHOW THAT IT IS IN THE NATIONAL INTEREST TO PROVIDE SUCH ASSISTANCE.

4. ONCE THE STATEMENT IS SUBMITTED, CONGRESS MAY AT ANY TIME THEREAFTER ADOPT A JOINT RESOLUTION ON WHETHER TO TERMINATE, RESTRICT OR CONTINUE THE PROVISION OF SECURITY ASSISTANCE TO THE COUNTRY CONCERNED.

5. PROMPT RESPONSE THIS MESSAGE IS CLEARLY ESSENTIAL.
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BY SEPTEL EMBASSY IS BEING SENT TEXT OF DRAFT REPORT ON HUMAN RIGHTS PRACTICES IN EACH COUNTRY PREPARED EARLIER FOR POSSIBLE SUBMISSION PURSUANT SECTION 502B(B) OF NEW ACT, BUT NOT YET FULLY CLEARED. YOUR RESPONSE IN FIRST INSTANCE SHOULD COVER FACTUAL UPDATE, COMMENTARY AND RECOMMENDATIONS ON THIS DRAFT.

6. IN ADDITION TO THE FOREGOING EMBASSY SHOULD REVIEW

ALL APPROACHES MADE TO HOST GOVERNMENT AND ALL OTHER RELEVANT STEPS TAKEN OR CONTINUED SINCE SUMMER OF 1974 AND PROVIDE DETAILED FACTUAL REPORT, CITING APPROPRIATE CABLES, TO ENABLE US TO RESPOND TO SUBSECTION (C)(1)(B). REFERENCE IS MADE TO PARA 8 RFTEL AND 75 STATE 182813. IN ADDITION CU PROGRAMS, ATTENDANCE TRIALS AND INDEPTH CONTACTS WITH IMPORTANT SECTORS OF SOCIETY DISCUSSED STATE 182813, POST SHOULD CALL ATTENTION TO ANY ELEMENTS OF U.S. ASSISTANCE PROGRAMS, INCLUDING BUT NOT LIMITED TO SECURITY ASSISTANCE, DESIGNED AT LEAST IN PART TO BE SUPPORTIVE OF HUMAN RIGHTS. POST SHOULD ALSO POINT OUT ANY INSTANCES (E.G., AT UN GENERAL ASSEMBLY, UN HUMAN RIGHTS COMMISSION, OAS GA OR IA HRC) WHERE HOST COUNTRY AND U.S. HAVE COOPERATED IN EFFORTS SUPPORTIVE OF HUMAN RIGHTS. DEPARTMENT WILL WELCOME

ANY SUGGESTIONS OR RECOMMENDATIONS FOR ADDITIONAL STEPS TO BE TAKEN BY EMBASSY BY DEPARTMENT OR BY POSTS ELSEWHERE.

7. POST SHOULD ALSO INCLUDE IN ITS RESPONSE FINAL SECTION CONTAINING RECOMMENDATIONS REGARDING JUSTIFICATION FOR CONTINUING OR MODIFYING PROGRAM INCLUDING EXPOSITION OF "EXTRAORDINARY CIRCUMSTANCES" AND U.S. INTERESTS CALLED FOR UNDER SUBSECTION (C)(1)(C).

8. ALL RESPONSES TO THIS INSTRUCTION SHOULD BE MADE BY PRIORITY TELEGRAM SO AS TO REACH DEPARTMENT NOT LATER THAN COB WASHINGTON SEPTEMBER 30.

9. CLASSIFIED INFORMATION WILL BE PROVIDED ON A CONFIDENTIAL BASIS FOR THE USE OF THE TWO CONGRESSIONAL COMMITTEES ONLY BUT PUBLIC DISCLOSURE CANNOT BE CONFIDENTIAL

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Message Attributes

Automatic Decaptoning: X
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Margaret P. Grafeld
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04 MAY 2006

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TAGS: SHUM, MASS, AR
To: BUENOS AIRES LIMA PORT AU PRINCE
Type: TE
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